

## RAWLE &amp; HENDERSON LLP



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MEMO ENDORSED

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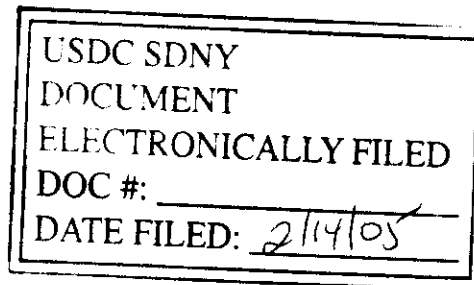
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February 11, 2005

Via Facsimile: 212.805.7968

The Honorable Kenneth M. Karas  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007



RE: Valerie Shore v. Reliance Standard Life Insurance Company, et al.  
Civil Action No.: 04-CV-4152  
Our File No.: 801.505

Dear Judge Karas:

ECTJ.

I write regarding the February 2, 2005 letter from David Preminger and the Court's February 9, 2005 Order in the form of endorsement. A copy of the same is attached hereto. As indicated in Mr. Preminger's letter, I spoke with him regarding a revised briefing schedule with regard to the respective Motions for Summary Judgment and consented to a joint request to extend the applicable briefing schedule. It was my understanding that the request was for a joint extension for both parties to respond to the respective Motions for Summary Judgment on February 22, 2005 and that both parties' reply papers would be due on March 8, 2005. Although the Court has endorsed the correspondence from plaintiff's counsel, the additional handwritten notations by the Court apply the extension only to plaintiff's response to Defendant's Motion for Summary Judgment.

For the reasons stated within David Preminger's February 2, 2005 letter, I write to request that the Court equally apply the extension to both plaintiffs and defendants. The parties are continuing attempts to resolve this matter through settlement. There has been no prior request by defendants for an extension in this case. I apologize for the delay in submitting this request, as the Court's Order was entered on February 4, 2005. However, I have been out of the office and have just received a copy of the Order entered by the Court.

## RAWLE &amp; HENDERSON LLP

The Honorable Kenneth M. Karas

February 8, 2005

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**MEMO ENDORSED**

Thank you in advance for your consideration of this request.

Respectfully yours,

RAWLE &amp; HENDERSON LLP

By:

  
Heather J. Holloway

HJH/rp

cc: David Preminger, Esquire (via facsimile: 212.867.6878)

Defendant's application is GRANTED.  
The motion schedule extension entered on  
February 4, 2005 applying to both parties' further  
responses to the respective summary judgment motions  
~~only~~ are due on February 22, 2005, and replies are  
due on March 8, 2005. No further extensions will  
be granted.

**SO ORDERED**  
KENNETH M. KARAS U.S.D.J.  
2/9/05

FEB-04-2005 FRI 06:20 PM

Feb 4 2005 18:28

02/04/2005 17:50 FAX 212 805 7968

JUDGE KARAS

FAX NO.

P. 03

002/003

**ROSEN PREMINGER & BLOOM LLP**

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**MEMO ENDORSED**

February 2, 2005

By Hand

Honorable Kenneth M. Karas  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Valerie Shore v. PaineWebber Long-Term Disability Plan*  
No. 04 Civ. 4152 (KMK)

Dear Judge Karas:

We are the attorneys for the plaintiff in the referenced action. We write to request a short extension of time with respect to the briefing schedule for the parties' respective motions for summary judgment. No extensions have previously been requested.

By Memo endorsed dated January 19, 2005, your Honor approved a schedule requiring opening papers by January 11, 2005, opposition papers by February 8, 2005, and reply papers by February 22, 2005.

Our opposition brief (for which I am solely responsible) to 13 motions to dismiss in an action in the Northern District of Indiana is also due February 8, 2005 (which cannot be extended). I am also solely responsible for the referenced action. Because I will be out of town from February 9, 2005 through February 13, 2005, we respectfully request that the date for submission of opposition papers herein be extended to February 22, 2005 and the date for submission of reply papers be extended to March 8, 2005.

We have communicated with counsel for defendants concerning this request and they have no objection.

In addition, preliminary settlement discussions were just begun and the extension

Feb 4 2005 18:28

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02/04/2005 17:50 FAX 212 805 7988

JUDGE KARAS

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Honorable Kenneth M. Karas

Re: *Valerie Shore v. PaineWebber Long-Term Disability Plan*

No. 04 Civ. 4152 (KMK)

February 2, 2005

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**MEMO ENDORSED**

will allow the parties to determine if a settlement is possible without the necessity of further Court involvement.

Thank you for your Honor's attention to and consideration of this matter.

Respectfully submitted,  
Rosen, Preminger & Bloom LLP

By. 

David S. Preminger

cc - Heather J. Holloway Esq. by facsimile

Application is GRANTED. Plaintiff's  
response to defendant's summary judgment motion  
is now due February 22, 2005. Reply papers  
are now due on March 8, 2005. No further extensions  
will be granted.

SO ORDERED

  
KENNETH M. KARAS  
2/4/05